

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

DEC 14 2016

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

THOMAS SCOTT ANDERSON,

Plaintiff - Appellant,

v.

MONTANA DEPARTMENT OF  
CORRECTIONS; et al.,

Defendants - Appellees.

No. 16-35864

D.C. No. 6:15-cv-00031-DLC  
U.S. District Court for Montana,  
Helena

**ORDER**

A review of the file in this case reveals that the appellant has failed to perfect the appeal as prescribed by the Federal Rules of Appellate Procedure.

Pursuant to Ninth Circuit Rule 42-1, this appeal is dismissed for failure to respond to the order of this court dated October 26, 2016.

This order served on the district court shall constitute the mandate of this court.

FOR THE COURT:

MOLLY C. DWYER  
CLERK OF COURT

By: Cyntharee K. Powells  
Deputy Clerk  
Ninth Circuit Rule 27-7